

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING  
PHARMACY, INC. PRODUCTS LIABILITY  
LITIGATION

MDL No. 2419  
Dkt. No. 1:13-md-2419 (FDS)

THIS DOCUMENT RELATES TO:

All Actions

**MDL ORDER No. \_\_**

**ORDER ON PLAINTIFFS' STEERING COMMITTEE'S MOTION TO COMPEL  
PRODUCTION, FOR A FINDING OF CIVIL CONTEMPT,  
AND FOR AN AWARD OF SANCTIONS**

Upon consideration of the Plaintiffs' Steering Committee's ("PSC") Motion to Compel Production, for a Finding of Civil Contempt and for an Award of Sanctions (the "Motion") and the memorandum in support thereof (the "Memorandum"); and the Court having found that the relief requested in the Motion is proper; and after due deliberation and sufficient cause appearing, it is hereby

1. **ORDERED**, that the Motion is granted; and it is further
2. **ORDERED**, BPMC is hereby found to be in civil contempt; and it is further
3. **ORDERED**, BPMC is compelled to produce all documents responsive to the PSC Subpoena within ten days; and it is further
4. **ORDERED**, BPMC is to pay a monetary sanction in an amount sufficient to reimburse the Plaintiffs' Steering Committee (to be deposited in a Common Benefit Fund) for reasonable attorney fees incurred in pursuit of this Order.

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The Honorable F. Dennis Saylor IV  
United States District Judge

Dated: \_\_\_\_\_, 2014

CERTIFICATE OF SERVICE

I, Patrick T. Fennell, hereby certify that I caused a copy of the foregoing proposed *Order on Plaintiffs' Steering Committee's Motion to Compel Production, for a Finding of Civil Contempt, and for an Award of Sanctions* to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Date: January 17, 2014

/s/Patrick T. Fennell  
Patrick T. Fennell (VSB 40393)